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12 IN THE UNITED STATES DISTRICT COURT
13 FOR THE NORTHERN DISTRICT OF CALIFORNIA
14 SAN FRANCISCO DIVISION

15 **RONALD BRATTON,**

16 Plaintiff,

17 v.

18 **BEN CURRY,**

19 Defendants.
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Case No. C 07-2928.JSW

**DECLARATION OF
COUNSEL IN SUPPORT OF
DEFENDANTS' REQUEST
FOR AN EXTENSION OF
TIME TO FILE DISPOSITIVE
MOTION**

21 I, LISA SCIANDRA, declare as follows:

22 1. I am an attorney licensed to practice before the courts of the State of California and this
23 Court. I am a Deputy Attorney General in the Correctional Law Section of the California
24 Attorney General's Office, and I am assigned to represent the Defendants in this matter. I have
25 personal knowledge of the matter contained in this declaration, and if called to testify, I would
26 and could testify.

27 2. The Court's Order of Service dated January 9, 2008, directed that Defendants shall file
28 a motion for summary judgment or other dispositive motion no later than sixty days from the date

1 of the Order, which is Sunday March 9, 2008. Under Rule 6 of the Federal Rules of Civil
2 Procedure, however, Defendants' motion for summary judgment or other dispositive motion is
3 due on Monday, March 10, 2008. I intend to file a motion for summary judgment or other
4 dispositive motion in this case but request a sixty-day extension of time until May 9, 2008, to
5 complete it.

6 3. For the following reasons, Defendants request an extension of time:

7 a. I do not yet have sufficient documents or information to determine the appropriate
8 response to this lawsuit and will need further documents in order to prepare a response. I
9 received the Summons and Complaint on February 4, 2008. My office requested case documents
10 and information from the California Department of Corrections and Rehabilitation (CDCR) at
11 that time. While some documents have been received, review of the facts and allegations
12 necessitate obtaining additional documents from the CDCR and other sources. More time will be
13 needed to review the facts and allegations in the Complaint, and to review the documents that
14 will arrive from the CDCR and other sources.

15 b. Additionally, I have recently been occupied with the following deadlines, in
16 addition to other case-related work: a mandatory reply brief in the Northern District on February
17 14, 2008; another reply brief in the Northern District on February 19, 2008; a motion to dismiss
18 in the Northern District on February 22, 2008; and a court-ordered mediation in Southern
19 California on February 29, 2008.

20 c. I also have a dispositive motion due in the Northern District on April 11, 2008.

21 4. Plaintiff is currently incarcerated and cannot be easily contacted for an extension of
22 time.

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1 5. No previous extension of time has been sought regarding the filing of Defendants'
2 summary-judgment motion or other dispositive motion. This request is not made for the purpose
3 of harassment, undue delay, or any improper reason.

4 I declare under penalty of perjury that the forgoing is true and correct to the best of my
5 knowledge.

6 Executed on March 3, 2008, at San Francisco, California.

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9 LISA SCIANDRA
Deputy Attorney General

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